

§ 100.25 Action on application for event not assigned to State regulation by Coast Guard-State agreement.

(a) Where an event is one of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the Commander of a Coast Guard District who receives an application for a proposed regatta or marine parade to be held upon the navigable waters of the United States within his district shall take the following action:

(1) He shall determine whether the proposed regatta or marine parade may be held in the proposed location with safety of life. To assist in his determination, he may, if he deems it necessary, hold a public hearing to obtain the views of all persons interested in, or who will be affected by, the regatta or marine parade.

(2) He will notify the individual or organization which submitted the application:

(i) That the application is approved, and the nature of the special local regulations, if any, which he will promulgate pursuant to § 100.35; or

(ii) That the interest of safety of life on the navigable waters of the United States requires specific change or changes in the application before it can be approved; or

(iii) That the event requires no regulation or patrol of the regatta or marine parade area; or

(iv) That the application is not approved, with reasons for such disapproval.

EFFECTIVE DATE NOTE: At 61 FR 33033, June 26, 1996, § 100.25 was removed, effective Jan. 1, 1997. At 61 FR 60028, Nov. 26, 1996, the effective date was delayed until Jan. 1, 1998.

§ 100.30 Approval required for holding event.

(a) An event for which application is required under § 100.15(a) shall be held only after approval of such event by the District Commander, except that applications referred to a State under § 100.10 shall be governed by the laws of that State.

EFFECTIVE DATE NOTE: At 61 FR 33033, June 26, 1996, § 100.30 was removed, effective Jan. 1,

1997. At 61 FR 60028, Nov. 26, 1996, the effective date was delayed until Jan. 1, 1998.

§ 100.35 Special local regulations.

(a) The District Commander may issue regulations to promote safety of life on the navigable waters immediately before, during, and immediately after a marine event.

(b) The regulations may establish an area within which participating vessels, or other vessels are excluded, their entry is limited, or their movement is restricted.

(c) The District Commander will provide notice of the regulations to the State and local authorities having jurisdiction over the affected navigable waters and may provide notice of the regulations by means of local or broadcast notices to mariners.

[CGD 95-054, 61 FR 33033, June 26, 1996]

EFFECTIVE DATE NOTE: At 61 FR 33033, June 26, 1996, § 100.35 was revised, effective Jan. 1, 1997. At 61 FR 60028, Nov. 26, 1996, the effective date was delayed until Jan. 1, 1998. For the convenience of the user, the superseded text is set forth as follows:

§ 100.35 Special local regulations.

(a) The Commander of a Coast Guard District, after approving the plans for the holding of a regatta or marine parade within his district, is authorized to promulgate such special local regulations as he deems necessary to insure safety of life on the navigable waters immediately prior to, during, and immediately after the approved regatta or marine parade. Such regulations may include a restriction upon, or control of, the movement of vessels through a specified area immediately prior to, during, and immediately after the regatta or marine parade.

(b) After approving the plans for the holding of a regatta or marine parade upon the navigable waters within his district, and promulgating special regulations thereto, the Commander of a Coast Guard District shall give the public full and adequate notice of the dates of the regatta or marine parade, together with full and complete information of the special local regulations, if there be such. Such notice should be published in the local notices to mariners.

(c) The special local regulations referred to in paragraph (a) of this section, when issued and published by the Commander of a Coast Guard District, shall have the status of regulations issued pursuant to the provisions of section 1 of the act of April 28, 1908, as amended (46 U.S.C. 454).